

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

No. 3:18-CR-500-B

CHRISTOPHER AUNDRE FAULKNER

DEFENDANT’S MOTION TO WITHDRAW GUILTY PLEA

For the reasons that follow, the Defendant, Christopher Aundre Faulkner, respectfully files this motion seeking to withdraw his guilty plea to the three-count felony information filed by the United States Attorney and request that the case be set for trial:

On October 23, 2018, Faulkner pled guilty to a three-count felony information pursuant to a Fed. R. Crim. P. 11(c)(1)(C) plea agreement. Doc. No. 32 (Plea Agreement). According the plea agreement, Faulkner would receive a custody sentence of 144 months, provided the Court accepted the agreement. *Id.* at 2. However, if the Court rejected the plea agreement, Faulkner would be permitted to withdraw his guilty plea pursuant to Fed. R. Crim. P. 11(c)(5). *Id.* at 3.

On April 2, 2019, the parties appeared before this Court for sentencing. Upon calling the case, the Court unequivocally stated that the Court would not accept the plea agreement. In addition, the Court extended Faulkner two weeks to decided how he wished to proceed.

After thoughtful consideration, Faulkner wishes to exercise his rights under Fed. R. Crim. P. 11(d)(2)(A) by withdrawing his guilty plea and requests that the matter be set for trial.

Respectfully submitted,

/s/ Brian D. Poe
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CERTIFICATE OF CONFERENCE

I certify that on April 15, 2019, I conferenced with Assistant United States Attorney Chris Stokes, who stated the government is unopposed to the Defendant's motion.

/s/ Brian D. Poe
BRIAN D. POE

CERTIFICATE OF SERVICE

I certify that on April 15, 2019, I electronically filed the foregoing document with the Clerk of the Court for the United States District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a "Notice of Electronic Filing" to all attorneys who have consented in writing to accept this Notice as service of this document.

/s/ Brian D. Poe
BRIAN D. POE